

6.1.2026
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CRR 3897 of 2025

Veenita Deb
Vs.
Victor Paul Choudhury

Mr. Souryadeep Ghosh
Ms. Jyoti Singh

...for the Petitioner

The petitioner/wife herein has prayed for expeditious disposal of the complaint case being no. AC 1596 of 2022 filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005, presently pending before the learned Chief Judicial Magistrate, 5th Court, Alipore.

It is submitted on behalf of the petitioner that the petitioner filed the aforesaid application seeking inter alia interim monetary relief and other reliefs and thereafter, the opposite party appeared but did not take proper steps nor file affidavit of assets and liabilities as directed by the court below and as such, the matter was posted for ex parte hearing. Thereafter, on the basis of the prayer made by the opposite party herein, the exparte order was vacated and the proceeding is still continuing though under the Act of 2005, a specific time limit has been prescribed by the legislature to conclude any proceeding filed under Section 12 of the Act.

Having heard learned counsel for the petitioner, it appears that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made in the application, the opposite party will have no cause to prejudice

and as such, the service of copy of the application upon the opposite party is dispensed with.

Having heard learned counsel for the petitioner and that the prayer made by the petitioner is justified in view of the statutory mandate prescribed under Section 12(5) of the Act of 2005, the prayer made by the petitioner is allowed.

In such view of the matter, the instant application being CRR 3897 of 2025 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the aforesaid complaint case being no. AC 1596 of 2022, presently pending before the learned Chief Judicial Magistrate, 5th Court, Alipore and to make his best effort to conclude the trial preferably within a period of six months from the next date of hearing without granting any unnecessary adjournment to either of the parties. This order is passed invoking this court's jurisdiction under Section 529 of BNSS.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)